

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE SCOT SEQUEIRA,
Plaintiff.

Case No. [22-cv-07230-VKD](#)

ORDER OF TRANSFER

Scot Sequeira, a state prisoner currently housed at California Health Care Facility (“CHCF”) in Stockton, filed a letter in which he alleges that he is receiving inadequate medical treatment for serious medical conditions. Dkt. No. 1. On November 17, 2022, the Clerk of the Court construed this letter as an attempt to file a civil rights complaint pursuant to 42 U.S.C. § 1983 and directed Mr. Sequeira to file a proper complaint using the appropriate form; a copy of the complaint form was provided to him. Dkt. No. 2. Mr. Sequeira was also directed to file a complete *in forma pauperis* application in a separate notice. Dkt. No. 3.

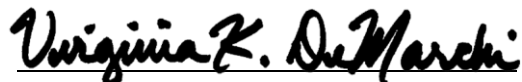
CHCF is in Stockton, which is in San Joaquin County. Because the acts complained of appear to have occurred in San Joaquin County, which lies within the venue of the Eastern District of California, *see* 28 U.S.C. § 84(b), venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). This Court has discretion to either dismiss the case for incorrect venue or transfer it to the proper federal court “in the interest of justice.” *See* 28 U.S.C. § 1406(a). The Court concludes that the interests of justice are best served by the immediate transfer of this action to the United States District Court for the Eastern District of California.

Accordingly, the Court orders that this action shall be transferred. The Clerk of the Court shall transfer the entire file to the Eastern District of California.

United States District Court
Northern District of California

IT IS SO ORDERED.

Dated: November 21, 2022



VIRGINIA K. DEMARCHI
United States Magistrate Judge